

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT COURT OF NEW YORK**

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XIAOCHUN GAO,

Individually and on of others similarly situated,
Plaintiffs,

V.

Case No. 19-cv-02515

SAVOUR SICHUAN INC.
LA VIE EN SZECHUAN RESTAURANT CORP
YI ZHANG
WEIMIN HONG
DONGMEI WEI
XIAOMAN DUAN
FANG JIE,
THE BEST SICHUAN
JANE DOE
JOHN DOE #1-10

**NOTICE OF MOTION TO
DISMISS COUNTERCLAIMS**

Defendants.

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PLEASE TAKE NOTICE that upon the supporting memorandum of law, and upon all prior pleadings and proceedings herein, Plaintiff shall move this Court, at the United States District Court for the Southern District Court of New York, before the Honorable John P. Cronan, U.S.D.J., for an Order dismissing Defendants' counterclaims for failure to state a cause of action pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: Flushing, NY
March 21, 2023

Plaintiff failed to comply with Rule 6 of the Court's Individual Rules and Practices in Civil Cases, which requires a party to file a pre-motion letter prior to filing a motion. Therefore, the Court denies Plaintiff's motion without prejudice. The Clerk of Court is respectfully directed to close the motion pending at Docket Number 145.

SO ORDERED.
Date: March 29, 2023
New York, New York


JOHN P. CRONAN
United States District Judge

/s/ John Troy
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